

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	Criminal No. 1:15-CR-00182
	:	
v.	:	(Judge Kane)
	:	
DOMINICK PUGLIESE	:	Electronically filed

**BRIEF IN SUPPORT OF MOTION FOR DISCLOSURE
OF DEFENDANT'S LOCATION AND MEDICAL RECORDS**

HEIDI R. FREESE, ESQ.
Federal Public Defender
Middle District of Pennsylvania

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TAMMY L. TAYLOR, ESQ.
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Counsel for Defendant

The defendant in this case, Dominick Pugliese, was convicted of conspiracy to distribute controlled substances and possession of a firearm in furtherance of drug trafficking, and sentenced on September 28, 2016, to a term of imprisonment of 235 months. Doc. 165. On August 25, 2020, while Mr. Pugliese was housed at the Fort Dix Federal Correctional Institution (“FCI Fort Dix”), he filed a motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A) (Doc. 278); the government subsequently filed an opposing brief (Doc. 283). Neither party included any of Mr. Pugliese’s medical records in their submissions. Undersigned counsel, as attorneys with the Federal Public Defender’s Office of the Middle District of Pennsylvania, were appointed by this Court on January 20, 2021, to represent Mr. Pugliese in connection with his motion. Doc. 292.

Since being appointed, undersigned counsel has been unable to locate or communicate with Mr. Pugliese, who has reportedly been transferred from his institution (FCI Fort Dix) to a hospital for medical treatment. *See* Doc. 291. The U.S. Bureau of Prisons will not disclose any information about Mr. Pugliese, including his location or medical records, to undersigned counsel without signed releases from Mr. Pugliese or administrative or judicial order. Because it appears that Mr. Pugliese is in an unknown hospital and possibly not able to sign releases to permit undersigned counsel to obtain his medical records or any other information, and because time is of the essence, undersigned counsel is requesting that this Court

direct the government to obtain and disclose Mr. Pugliese's location and medical records undersigned counsel forthwith.¹

CONCLUSION

For the foregoing reasons, the motion for disclosure should be granted, and the proposed order should be entered.

Date: January 27, 2021

Respectfully submitted,

/s/ Quin M. Sorenson

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¹ The government is able to obtain medical information without first obtaining the defendant's permission, and has routinely done so in other cases. *See, e.g., United States v. Martin*, No. 3:13-CR-0050-MEM, ECF Nos. 153, 154 (M.D. Pa. May 20, 2020); *United States v. Green*, No. 1:11-CR-00361-CCC, ECF No. 276 at 17 (M.D. Pa. Jan. 26, 2021).

CERTIFICATE OF SERVICE

I, Quin M. Sorenson, Esquire, of the Federal Public Defender's Office, certify that I caused to be served on this date a copy of the foregoing filing via electronic case filing, and/or by placing a copy in the United States mail, first class in Harrisburg, Pennsylvania, and/or by hand delivery, addressed to the following:

William A. Behe, Esquire
United States Attorney's Office
william.behe@usdoj.gov

Date: January 27, 2021

/s/ Quin M. Sorenson
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